

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FILED
IN CLERKS OFFICE
2005 OCT 14 A 9:51

UNITED STATES OF AMERICA)
Plaintiff)
vs.)
Nadine J. Griffin)
Defendant)

U.S. DISTRICT COURT
DISTRICT OF MASS.
CASE NO. CR-05-10175-WGY

**AFFIDAVIT IN SUPPORT OF MOVE
FOR BILL OF PARTICULARS**

1. Nadine J. Griffin declares and states as follows:
2. I am the defendant pro per [*pro se*], hereinafter referred to as Affiant in the above-entitled action and competent to testify to the facts stated herein to wit:
3. That all statements made within this affidavit are true and correct not meant to mislead.
4. That Nadine J. Griffin exists as a conscious living, breathing, flesh and blood sentient being; NOT a statutory person, persons, natural person, artificial person, individual, corporation, entity, or any other sub-status, fourth class citizen *ens legis* creation of any government, federal, state, local or otherwise.
5. That Affiant is unschooled in law, not an Attorney or Bar Association member, and is attempting to defend and dispose of this action to the best of Affiant's ability with reliance upon your statutes, codes, rules and regulations; including those relied upon by the plaintiff and established by the Constitution of the United States of America, United States Congress, and the United States Supreme Court.
6. That on or about July 13, 2005 Affiant was formally charged under cause number CR-05-10175-WGY for alleged violations of 26 U.S.C. § 7206, two counts of filing a false returns

1 for the tax years 1998 and 1999. (See Exhibit A)

2 7. That Affiant is with information and belief that the charging instrument is intentionally
3 overbroad and fails to fully disclose the nature and cause of this action in *qui tam* filed by
4 the plaintiff.

5 8. That Affiant is with information and belief that the charging instrument lacks sufficiency
6 only referencing the language of the statute for which Affiant is presumed to have violated
7 but does not disclose the elements of such alleged violations. (See Exhibit A)

8 9. That Affiant is with information and belief that the charging instrument is intentionally
9 ambiguous and fails to disclose any elements sufficient to support a cognitive cause of
10 action and therefore prejudices Affiant in preparation for a proper defense s of this action in
11 *qui tam*.
12

13 10. That Affiant is with information and belief that the charging instrument is insufficient as it
14 makes conclusory boilerplate allegations relevant only to the statutory language of the
15 charge itself and is therefore insufficient on its face and fails to state a cogent cause of
16 action that fully implicates Affiant.

17 11. That Affiant is with information and belief that the charging instrument is fundamentally
18 defective as it fails to allege the statutory elements of a crime, alleging no crime and is
19 therefore insufficient on its face and fails to state a cogent cause of action that implicates
20 Affiant.
21

22 12. That Affiant is presently deprived of her ability to frame a defense due to the factual
23 insufficiency of the charging instrument.

24 13. That the plaintiff maintains a tactical advantage employing the object of surprise on the trial
25 by not furnishing information which Affiant requires respecting matters against which

1 Affiant is called upon to defend.

2 14. That Affiant is with information and belief that the charging instrument is in violation of
3 the Fifth, Sixth and Fourteenth Amendments of the Constitution for the United States of
4 America, for lack of due process, fails to disclose the nature of the accusation and does not
5 extend equal protection of the law to Affiant in this instant matter.

6 15. That Affiant demands of a more definite statement that will fully disclose the elements of
7 the alleged violations Affiant is presumed to have committed to aid in the preparation of her
8 defense of this pending action in *qui tam*.
9

10 Nadine J. Griffin declares under penalty of perjury pursuant to 28 U.S.C. § 1746 (1), that the
11 forgoing is true and correct.

12 Executed this 5th day of October 2005.

13 Signature: Nadine J. Griffin

Nadine J. Griffin
C/o 13799 Park Blvd. North #244
Seminole, Florida [33776-3402]

16 State of Florida)
17 County of Pine Hills) subscribed and sworn

18
19 On this 13 day, of October, 2005 A.D., **Nadine J. Griffin** personally
20 appeared, personally known to me, OR proved to me on the basis of satisfactory evidence to be
the one whose name is subscribed to within this instrument and who did take an Oath.

21 Witness my hand and official seal.



24
25

Adrian Stepp
Signature of Notary
My Commission Expires MARCH 2, 2009

EXHIBIT A: COPY OF INDICTMENT - CR-05-10175-WGY